

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	CRIMINAL NO. 04-10194-RCL
)	
ANTHONY BUCCI,)	
a/k/a "Gino",)	
Defendant.)	

**UNITED STATES' MOTION
FOR FINAL ORDER OF FORFEITURE**

The United States, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully moves that this Court issue a Final Order of Forfeiture in the above-captioned case pursuant to 21 U.S.C. § 853. A proposed Final Order of Forfeiture is submitted herewith. In support thereof, the United States sets forth the following:

1. On July 6, 2004, a federal grand jury sitting in the District of Massachusetts returned an eight-count Indictment charging Defendant Anthony Bucci, (the "Defendant"), with the following violations: Conspiracy to Distribute, and to Possess With Intent to Distribute, Cocaine, in violation of 21 U.S.C. § 846 (Count One); Possession of Cocaine With Intent to Distribute, in violation of 21 U.S.C. § 841 and Aiding and Abetting, in violation of 18 U.S.C. § 2 (Count Two); Using or Carrying a Firearm During and in Relation to a Drug Trafficking Crime and Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924 (c)(1)(A) and Aiding and

Abetting, in violation of 18 U.S.C. § 2 (Count Three); and Possession of Cocaine With Intent to Distribute, in violation of 21 U.S.C. § 841 (Count Five).

2. The Indictment sought the forfeiture, as a result of committing one or more of the offenses alleged in Counts One, Two, and Five of the Indictment, of any and all property constituting, or derived from, any proceeds the Defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations, pursuant to 21 U.S.C. § 853.

3. On September 24, 2004, the United States filed a Bill of Particulars for Forfeiture of Assets adding the following properties to the Forfeiture Allegation of the Indictment:

1) One 1997 Mercedes Benz S500, Vehicle Identification Number WDBGA51G1VA349068, and Massachusetts Registration Number 3802YL, seized from Defendant, Anthony Bucci, on or about May 20, 2004; and

2) \$6,563.00 in United States currency seized from the Defendant, Anthony Bucci, on or about May 20, 2004,

(collectively the "Properties").

4. On April 12, 2006, the Defendant was convicted by a jury of Counts One, Two, Three, and Five of the Indictment. On April 11, 2006 the Defendant had waived his right to have the Jury determine forfeiture in this action.

5. On May 25, 2006, this Court issued a Preliminary Order

of Forfeiture, forfeiting the Defendant's interest in the Properties.

6. Notice of the Preliminary Order of Forfeiture was sent to all interested parties and published in the Boston Herald on June 13, 2006, June 20, 2006, and June 27, 2006.

7. No claims of interest in the Properties have been filed with the Court or served on the United States Attorney's Office, and the time within which to do so expired on July 28, 2006.

WHEREFORE, the United States respectfully moves that this Court enter a Final Order of Forfeiture against the Properties in the form submitted herewith.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney,

/s/Kristiana E. Barclay
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Date: September 18, 2006

CERTIFICATE OF SERVICE

I, Kristina E. Barclay, Assistant U.S. Attorney, hereby certify that the foregoing Motion of the United States for Final Order of Forfeiture, as well as the proposed Final Order of Forfeiture, was filed through the Electronic Court Filing system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/Kristina E. Barclay
KRISTINA E. BARCLAY
Assistant U.S. Attorney

Date: September 18, 2006